

# **EXHIBIT B**



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February 8, 2005

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VIA FACSIMILE AND MAIL (650) 839-5070

Howard G. Pollack  
Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, CA 94063

Re: Power Integrations v. Fairchild Semiconductor et al. (CA 04-1371 JJF)

Dear Howard:

I was surprised by the tone of your letter of February 4, 2005. It is neither "absurd" nor "improper" for Fairchild to seek to understand the nature and scope of Power Integrations' allegations. The fact that Power Integrations appears unsure of these allegations causes us concern about the nature and sufficiency of Power Integrations' prefiling investigation.

For instance, on January 31, 2005, Power Integrations stated that it accused five families of Fairchild devices, the FSDH0165, FSDL0365, FSDM0565, FSD200, and FSD210 families of products. When Fairchild indicated that it would, naturally, base its document gathering efforts around these accused devices, Power Integrations backtracked. On February 4, 2005, you insisted that Power Integrations is entitled to discovery on any Fairchild Off-Line Conversion integrated circuit. You repeated, however, that, as of February 4, 2005, Power Integrations accused the same five limited family of devices. Thus, we were very surprised to receive Power Integrations' first set of discovery requests (dated that same day) in which Power Integrations accused – and sought far ranging discovery about – several entirely new families of Fairchild devices.

Similarly, Power Integrations appears unwilling to identify the asserted claims. Contrary to your letter, Fairchild's ignorance of Power Integrations' accusations is not "pretense". There is no way for Fairchild to determine which of the 75 claims of the patents-in-suit Power Integrations may choose to assert (information that Power Integrations has necessarily had since it filed its complaint in October, 2004). Fairchild was hoping to receive this information so that it would be able to begin to investigate Power Integrations' allegations and to gather potentially responsive documents to produce. As my previous letters observed, Power Integrations' decision to withhold this information will necessarily delay these efforts and may impact Fairchild's ability to complete its document production by June 30, 2005. Obviously, we will make every effort to avoid this but wished you to be aware of the possible consequences of your decision.

Your letter also incorrectly states that documents relating to the accused products exist in English and are located in the United States. This is a misunderstanding on your part. It was precisely this misunderstanding that my letter of February 3, 2005 sought to correct. The accused products were designed in Korea by Korean engineers. Thus, while we share your hope that relevant documents will exist in English, it is much more likely that they will be in Korean.



Howard G. Pollack  
February 8, 2005  
Page 2

Therefore, we will travel to Korea at the end of this week to begin our search for responsive documents. As I am sure you understand, there are significant costs in collecting, reviewing, and producing documents located thousands of miles away in a foreign language. In making this effort, we are relying upon the present state of Power Integrations' accusations. Should Power Integrations so change or expand its allegations that subsequent document collection efforts are required, Fairchild reserves its right to seek to shift the costs of this additional discovery.

As suggested by the Delaware guidelines for electronic discovery, we propose that the parties exchange a list of terms that the opposing party would use to search for electronic documents. Obviously, the use of such terms would not excuse a party from producing an otherwise relevant electronic document of which they are aware any more than it would obligate the party to produce privileged or non-responsive documents that happen to contain a word from the other party's list. Rather, each party would search through their own electronic databases for documents that contain one or more of the identified search terms and then further review the subset of documents so identified. A copy of the terms that we propose that Power Integrations use to search through its databases is enclosed. Please provide a set of proposed terms for Fairchild to use in searching its databases. Since we will travel to Korea to search for responsive documents this weekend, we request that Power Integrations provide its list of terms no later than February 9, 2005 in order for the parties to meet and confer and agree on the terms they will by Friday, February 11, 2005.

Thank you for your assistance in these matters. Please do not hesitate to call should you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Bas de Blank'.

Bas de Blank

cc: William J. Marsden, Jr.

Encl.

Terms for Power Integrations to use to identify electronic documents for further review:<sup>1</sup>

- 6,107,951 or 951 (and any internal designations that correspond to the patent)
- 6,249,876 or 876 (and any internal designations that correspond to the patent)
- 6,229,366 or 366 (and any internal designations that correspond to the patent)
- 4,811,075 or 075 (and any internal designations that correspond to the patent)
- 09/573,081 (and any internal designations that correspond to this patent application)
- 09/080,774 (and any internal designations that correspond to this patent application)
- 09/192,959 (and any internal designations that correspond to this patent application)
- 41,994 (and any internal designations that correspond to this patent application)
- Klas or Ecklund
- Balu or Balakrishnan
- Djenguerian
- Lief or Lund
- Kung
- Bell
- Renourard
- Lelieur
- Lin
- FSCM0765R, FSD200, FSD201, FSD210, FSD211, FSD200B, FSD210B, FSD312, FSD1000, FSDH321, FSDL321, FSDH565, FSDH0165, FSDH0165D, FSDH0265RN, FSDL0165RN, FSDL0365RN, FSDL0365RNB, FSDM311, FSDM0265RNB, FSDM0365RNB, FSDM0565RB, FSDM07652RB, FSCM0765R, FSCQ0765RT, FSCQ1265RT, FSCQ1565RP, FSCQ1565RT, FS6S1265RE, FS6S1565RB, FS6X1220R, FS7M0680, FS7M0880, FS8S0765RCB, FS8S0965RCB, FSCM0765R, KA5H0280R, KA5H0365R, KA5H0380R, KA5L0365R, KA5L0380R, KA5M02659RN, KA5M0280R, KA5M0365R, KA5M0380R, KA5M0965Q, KA5Q0565RT, KA5Q0740RT, KA5Q1565RF, offline conversion, off-line conversion, off line conversion, FPS (and any internal designation that corresponds to these parts or to categories of devices that include any of these parts)
- anticipat\*
- compet\*
- contribut\*
- differential switch\*
- downstream, down stream
- DPA-Switch\* (and any internal names or nos. that correspond to this family of product)
- drive signal\*
- enforce\*
- export\*

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<sup>1</sup> Note: The \* denotes a wildcard so that, for example, "anticipat\*" would return documents that include "anticipate", "anticipates", "anticipated", "anticipating", etc.

- Fairchild, FairchildSemi, FCS, FC, Power Franchise
- foreign patent\*, foreign application\*, foreign counterpart\*, foreign continuation\*, foreign right\*
- frequency modul\*, frequency var\*
- import\*
- in rush, in-rush, inrush
- induc\*
- infring\*
- intellectual property, IP
- invalid\*
- invent\*
- jitter\*
- Korea\* sale\*, Korea\* market\*, Korea\* profit\*
- law suit, lawsuit
- licens\*
- LinkSwitch\* (and any internal names or nos. that correspond to this family of product)
- litigat\*
- lost profit
- mark\*
- monolithic, MIC, MICs
- nonobvious\*, non-obvious\*
- obvious\*
- Off-Line Conversion
- over voltage, over-voltage
- Patent, Pat.
- prior art
- prosecut\*
- reexam\*
- reissue\*
- royal\*
- Samsung
- soft start, softstart, soft-start
- TinySwitch\* (and any internal names or nos. that correspond to this family of product)
- TopSwitch\* (and any internal names or nos. that correspond to this family of product)
- unenforc\*
- valid\*
- variable threshold\*